

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARVIN PEARLSTEIN, Individually And
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

BLACKBERRY LIMITED (formerly known as
RESEARCH IN MOTION LIMITED),
THORSTEN HEINS, BRIAN BIDULKA,
and STEVE ZIPPERSTEIN,

Defendants.

CASE NO. 1:13-CV-7060-CM-KHP

**PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF
NOTICE OF PENDENCY OF CLASS ACTION**

PLEASE TAKE NOTICE that Class Representatives and Lead Plaintiffs Todd Cox and Mary Dinzik hereby move this Court, before the Honorable Colleen McMahon, United States District Judge for the Southern District of New York, at a date and time determined by the Court, for entry of an order approving the Notice of Pendency of Class Action pursuant to Rule 23(c)(2)(B) of the Federal Rules of Civil Procedure.

In support of this motion, Class Representatives submit a supporting memorandum of law and the Declaration of Kim E. Miller, which attaches as exhibits: (A) a proposed Notice of Pendency of Class Action (the "Notice"); (B) a proposed Summary Notice of Pendency of Class Action (the "Summary Notice"); and (C) a proposed Postcard Notice of Pendency of Class Action (the "Postcard Notice"). A Proposed Order approving the form and content of the Notice, Summary Notice, and Postcard Notice, as well as the proposed method for disseminating the Notices to the Class, is submitted herewith.

Counsel for Defendants have represented that this Motion for approval of the Notice and Summary Notice is unopposed.

DATED: August 13, 2021

KAHN SWICK & FOTI, LLC

/s/ Kim E. Miller

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*Additional Counsel for Class Representatives
and Co-Class Counsel*

CERTIFICATE OF SERVICE

On August 13, 2021, the foregoing document was filed through the Court's ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Kim E. Miller
Kim E. Miller